

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE MAR 17 2006

In re Patent Application of

DE RENZIS

Atty. Ref.: 3572-14

Serial No. 09/437,469

TC/A.U.: 2877

Filed: November 10, 1999

Examiner: A. Merlino

For: METHOD FOR MEASURING THE DISTANCE OF AN OBJECT

* * * * *

March 17, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**PETITION TO WITHDRAW HOLDING OF
ABANDONMENT BASED ON FAILURE TO RECEIVE
OFFICE ACTION**

In accordance with MPEP 711.03(c) II and 37 CFR §1.181, please withdraw the holding of abandonment of the captioned application, based on failure to receive the Notice of Allowance. It is respectfully requested that the Office grant this Petition and remail the Notice of Allowance.

A Notice of Abandonment mailed February 24, 2006 alleged that the captioned application was abandoned for failure to pay the issue fee. Subsequently to receiving the Notice of Abandonment, the undersigned checked the Private PAIR website for the US Patent Office and discovered that the PTO website showed an entry for a Notice of Allowance allegedly mailed on October 6, 2005.

However, the Notice of Allowance was never received by the undersigned or at the undersigned's firm address. The undersigned has searched both electronic and paper files (e.g., file jacket) associated with this application and has found no evidence or indication whatsoever of receipt of a Notice of Allowance. Moreover, the undersigned has checked with his firm's docketing department, in which all official papers from the USPTO are processed, and confirmed that the Notice of Allowance was never received.

DE RENZIS

Serial No. 09/437,469

In support of the representation of the preceding paragraph, the undersigned attaches true and accurate copies of the following:

- (1) File Jacket Cover, showing last docket entry to be filing of July 11, 2005 amendment;
- (2) Docketing Computer screen entries (3 sheets), showing last docket entry to be filing of July 11, 2005 amendment;
- (3) Docketing Department due date book for alleged issue fee due date of January 6, 2006, showing no entry having been made (and thus that there was no awareness of an issue fee being due on this date, such unawareness resulting from non-receipt of the Notice of Allowance).

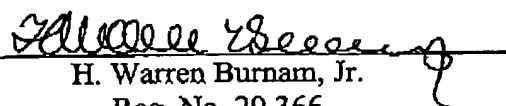
Thus, the captioned application was unintentionally abandoned by failure to pay the issue fee responsive to the Notice of Allowance mailed July , 2005, for reasons that the Notice of Allowance was never received by the undersigned's firm.

In view of MPEP 711.03(c) II and 37 CFR §1.181, no fee is attached or paid. Should the undersigned be mistaken and should fee be required, the Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for granting of this Petition and the continued pendency of the captioned application, including but not limited to any necessary extension of time, petition fees, or the like.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:


H. Warren Burnam, Jr.
Reg. No. 29,366

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09/45/1404 DAL029045/PC/19

SERIAL No. INTERFERENCE No. EXAMINING GROU

SUBJECT OF DRAWING INDEPENDENT ATTORNEY SCS

[] Informal No. of Claims Filed DEFENDANT

Formal: [] A4 [] 14"

INVENTOR(S): De Renzis (LAST NAME) Antonio (FIRST NAME) (MIDDLE INITIAL)

TITLE Method for Measuring the Distance of an Object

FILED MADE November 8, 1999 FOREIGN PRIORITY RIGHTS EP 97830507.8

SENT TO INVENTOR 19

FILED U.S. PAT. OFF. November 15, 1999 August 4, 1999

FWC FILED 19 BASED ON U.S. PROVISIONAL SN

FILED 19 DOCUMENT(S) FILED 19

[] Con't. [] Div. [] CIP of Parent

ISSUE FEE 19

Due 19

Payment Auth. as [] Large [] Small

Entity by on 19

(attorney)

Paid 19

Issue Date 19

PATENT No.

SUB. TO MAINT. FEES

SMALL ENTITY Filed 19

STATEMENT: Withdrawn 19

OFFICIAL PAPERS & DATE	RESPONSE DUE	PAPERS FILED & DATE
Not. to file re. <u> </u> 19 <u> </u>	Feb 9, 19 <u> </u>	Decl. Feb 9, 19 <u> </u>
OA- Feb. 13, 19 <u> </u>	May 13, 19 <u> </u>	Decl. August 7, 19 <u> </u>
Final OA- 12/18, 19 <u> </u>	March 18, 19 <u> </u>	Decl. June 17, 19 <u> </u>
Re. A. March 9, 19 <u> </u>	Resp June 9, 19 <u> </u>	Decl. July 19, 19 <u> </u>
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PCMaster v3.03.01 Master Data Center - (Patent)

File Edit Records Utilities Tools Help

3572-0014 United States H. Warren Burnam, Jr.
 Utility Appn. Utility Appn.
 Original Filing Original Filing
 Non-PCT Non-PCT

PORTA, CHECCACCI & ASSO.
 DATALOGIC S.p.A.
 DAL029BUS/PC/p

METHOD FOR MEASURING THE DISTANCE OF AN OBJECT

Inventors: PET Publication No. Related Cases Title
 Filing Date Customer No./Product/Assoc. R/F File Doc Cont US Cont Ext Actions/Due Dates Comus Related Case Info
 Misc/MGM/Trans/Abn/Comus

Action	Due Date	Actual Date	Comments	Actions/Due Dates
Office Action Received?	2/7/2004		12/22/2003	
Final Reg. Resp Due	3/18/2004	3/18/2004		
Notice	3/18/2004	3/18/2004		
Notice	4/18/2004	4/18/2004		
Final Reg. Resp -1 Ext	4/18/2004	4/18/2004		
Final Reg. Resp -2 Ext	5/18/2004	5/18/2004		
Notice	5/18/2004	5/18/2004		
Req. Continued Exam.	6/17/2004		6/17/2004	
Notice of Appeal Due(F)	6/18/2004		6/17/2004	
Final Reg. Resp Due (F)	6/18/2004		6/17/2004	
1st Action Mail Date	3/9/2005		3/9/2005	

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PCMaster v3.03.01 - Master Data Center - [Patent]

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3572-0014
 United States
 Utility Appln.
 Original Filing
 Non-PCT

Attorney
 H. Warren Burman, Jr.
 PORTA, CHECCARO & ASSO
 DATALOGIC S.p.A.
 DAL029BUS/PC/p

INVENTORS
 PCT Publication No.
 Related Cases
 Title
 Filing Date
 Customer No./Product/Assoc.
 R/F Prio Doc/Corr US Corr For
 Actions/Due Dates
 Comus Related Case Info
 Misc/MGM/Trans/Abn/Comus

Action	Can Date Due	Filed Date	Can Date Due	Filed Date
Missing Parts Mail Date	12/9/1999		12/9/1999	
Missing Parts Due	2/9/2000		2/9/2000	
Assignment Filed	2/9/2000		2/9/2000	
Missing Parts Received?	2/10/2000		12/21/1999	
Power From Assignee?	4/9/2000		4/8/2000	
IDS Filed?	4/10/2000		3/21/2000	
File Prel. Amendment	4/13/2000		4/13/2000	
Filing Receipt Recv'd?	5/10/2000		12/16/1999	
Application Data (F)	8/4/2000		11/10/1999	
Final Ref. Mail Date	12/18/2003		12/18/2003	
Office Action Received?	2/7/2004		12/22/2003	

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PCMaster V3.03.01 - Master Data Center - [Patent]

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3572-0014
United States
Utility Appln.
Original Filing
Non-PCT

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DAL0298US/PC/tp

INVENTORS FOR US PATENT: H. WARREN BURNHAM, JR.

Inventors	PCT Publication No.	Related Cases	Title	Comus Related Case Info
Filing Date	Customer No/Product/Assoc.	U/E/Pat/Doc/Corr US/Cor For	Actions/Due Dates	Misc/MGM/TI/Ans/Abn/Comus
1st Action Mail Date	3/9/2005		3/9/2005	
Office Action Received?	5/10/2005		3/9/2005	
1st Action Response	6/9/2005	6/9/2005		
1st Action Resp -1 Ext.	7/9/2005		7/11/2005	Failed Filed
Pet To Revie Due	3/16/2006			
Office Action Received?	6/11/2006			
No Foreign Filing				
IDS Filed				
Filing Receipt (OFR)				
Resp 1st action filed				
Missing parts filed				

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JANUARY 6, 2006

ATTY	CLT/MAT	SERIAL NO.	DESCRIPTION	DONE?
ARC	461-151	10/685,508	3 MO Resp / FR	Roll
RGB	4440-27	10/672,254	3 MO Resp	Roll
ABC	249-324	10/486,388	5 MO Resp	1-5
ARC	330-286	10/761,078	3 MO Resp	Roll
RWF	3978-8	10/078,577	3 MO Resp	Roll
ARC	2109-28	10/490,312	3 MO Resp	Roll
LSN	2018-897	10/901,057	3 MO Resp	Roll
ARC	427-67	10/368,340	3 MO Resp / FR	Roll
BJS	1498-130	9/529,722	3 MO Resp / FR	Roll - 6
BJS	1303-153	10/644,191	3 MO Resp	Roll
RWF	265-147	10/635,850	Issue Fee / ^{DOH} / ^{Pub} / ^{Pub} Fee	12-19-05
BAM	2672-51	10/835,590	Issue Fee / ^{DOH} / ^{Pub} / ^{Pub} Fee	1-4
LSN	2018-795	10/690,664	Issue Fee / ^{DOH} / ^{Pub} / ^{Pub} Fee	12-16
MJS	117-471	10/479,224	Issue Fee / ^{DOH} / ^{Pub} / ^{Pub} Fee	1-4
JRL	2380-146	10/138,523	3 MO Resp / FR	Roll
HWB	2410-119	10/690,813	3 MO Resp	1-6 by Pat
RWF	3632-8	10/411,388	3 MO Resp	Roll
ARC	117-467	10/967,375	3 MO Resp	Roll
HWB	3572-15	9/497,551	Issue Fee / ^{DOH} / ^{Pub} / ^{Pub} Fee	1-3
MAL	839-157	10/856,773	Issue Fee / ^{DOH} / ^{Pub} / ^{Pub} Fee	1-20
FRP	3177-6	79/610,863	6 MO Resp	12-20
RAM	3563-30	10/953,092	4 MO RESP. FR	1-5
"	"	"	Ntc. Appeal 4 mo.	Roll
MJS	35-269	10/480,217	4 mo RESP FR	Roll
"	"	"	Ntc. Appeal 4 mo.	Roll
MJW	535-88	10/525,643	Decl. Sec. desting (1X)	Roll
JAR	3691-436	10/150,014	Appeal Brief (2X)	1-6
RYM	3917-4	09/866,541	4 mo. RESP.	Roll
RWF	4772-2	09/926,319	Interv. Stmt. (F)	12-23
BHD	4396-4	10/486,102	Restic. Due	12-22
JRL	2466-108	10/275,687	Restic. Due	Roll
BJS	2365-63	10/323,855	Restic. Due	Roll
ARC	380-41	10/667,483	Restic. Due	12-20
BJS	3673-22	11/205,117	Corrd Papers (2X)	Roll

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JANUARY 6, 2006

ATTY	CLT/MAT	SERIAL NO.	DESCRIPTION	DONE?
Sec	124-930	10/029,1052	Appeal Brief (5th Ext)	8-5
ARE	4105-51	11/123,216	Decl (5th Ext)	7-19-05
ARE	4093-12	11/110,951	Decl / Seq List (5th Ext)	1-6-06
MTW	960-41	11/031,340	Decl / Seq List / Abs (5th Ext)	Drop per cl
LSN	2435-293	11/126,404	Decl (5th Ext)	6-28
RWF	1800-43	11/123,217	Decl (5th Ext)	7-12
LSN	871-134	11/126,403	Decl (5th Ext)	6-28
Sec	550-060	11/109,957	Decl (5th Ext)	8-1
JPL	3920-30	10/520,814	Decl (5th Ext)	7-26
JPL	3926-19	10/520,818	Decl (5th Ext)	7-25-05
RWA	918-68	76/494,962	Sou or 3rd Ext	ROLL
RWA	790-1300	76/494,966	Sou or 3rd Ext	ROLL
JTH	2105-8	76/326,455	Sou or 4th Ext	1/6/06
JTH	2105-9	76/326,452	Sou or 4th Ext	1/6/06
CC	166-385	10/116,472	6mo Resp	drop
JLL	2466-120	10/177,559	6mo Resp	10-6
ARE	461-111	10/267,049	6mo Resp	1/4
ARE	3638-115	10/786,164	6mo Resp	10-6
ARE	1417-472	11/032,084	6mo Resp	Drop
LSN	722-170	10/482,276	6mo Resp FR	Allowed
MJS	1035-283	9/675,272	6mo Resp	10-6
REC	2416-56	10/735,827	6mo Resp FR	Drop per REC
SEC	117-368	9/959,594	6mo Resp FR	1-6 RCE
MTW	1577-320	10/753,330	6mo Resp	9-23
ARE	1998-155	9/779,795	6mo Resp	NAP 1-6
ARC	1461-2	10/018,670	6mo Resp	10/6
Sec	540-311	9/831,551	5th X (Xth complaint)	7-29
ARC	249-371	11/044,264	Rest 1st X	7-29
ARC	1417-457	10/808,545	Rest 5th X	7-28
MTW	39-265	10/168,312	6mo Resp	Drop per cl
ARE	81-173	76/621,725	6mo TM Resp	1/6/06
LSN	659-48	10/471,006	6mo Resp	1/6/06
HWB	919-119	10/481,850	3 MO Resp	12/29
ARE	1107-83	9/865,605	3 MO Resp	ROLL
HWB	2380-104	10/066,001	3 MO Resp	ROLL
ARE	249-300	10/401,950	3 MO Resp	1-6

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